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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,419	10/06/2000	Nobuhiro Suetsugu	Q60879	1278

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EXAMINER	
NGUYEN, NHON D	

ART UNIT	PAPER NUMBER
2174	7

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/680,419	Applicant(s) SUETSUGU ET AL.	
	Examiner Nhon (Gary) D Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 December 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-15* is/are rejected.

7)☒ Claim(s) *2* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to Amendment A, filed 12/19/2003.

2. Claims 1-15 are pending in this application. Claims 1, 6, and 9 are independent claims. In the Amendment A, claims 1, 2, and 6 are amended, and claims 7-15 are added. This action is made final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 3-6, and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Matsui et al. ("Matsui", US 6,674,955).

As per independent claim 1, Applicant's admitted prior art teaches a display drafting apparatus comprising:

means for selecting a device of a controller for use (fig. 20 and fig. 21, page 4, lines 16-17), and

means for setting up display drafting information for said selected device comprising a display component (fig. 20, page 3, lines 20-22), a display mode (fig. 21, page 4, line 18) and a display function (fig. 21, page 4, lines 18-19).

Applicant's admitted prior art does not disclose the means for selecting are used to select a device before the means for setting up are used to set up the display drafting information. Matsui discloses an operator selects a source device before setting an in-point and an out-point for an edit material reproduced from the source device (col. 24, lines 59-63). It would have been obvious to an artisan at the time of the invention to use the teaching from Matsui of selecting a device before setting up the display information in Applicant's admitted prior art's system since it would allow the system to not use a large amount of memory storage for storing the predefined setting information.

As per claim 3, which is dependent on claim 1, Applicant's admitted prior art teaches the display drafting apparatus according to claim 1, additionally having a function of a control program schema generator for said controller therein (page 2, lines 2-7), further comprising:

means for allowing the device selection information for said controller selected and created by said device selecting means to be used with said control program schema generator (fig. 22, page 2, lines 8-10).

As per claim 4, which is dependent on claim 3, Applicant's admitted prior art teaches the display drafting apparatus according to claim 3, further comprising:

means for appending a comment to the device of said controller selected by said device selecting means, and means for sharing the appended comment between said display drafting apparatus and said control program schema generator (fig. 22, page 2, lines 14-16).

As per claim 5, which is dependent on claim 1, Applicant's admitted prior art teaches the display drafting apparatus according to claim 1, further comprising:

control program schema generating means for said controller, and means for allowing the use of the device selection information for said controller selected and created by said device selecting means, when a program schema is generated by said generating means (fig. 22 and fig. 23, page 2, line 17 – page 3, line 1).

As per independent claim 6, Applicant's admitted prior art teaches a display drafting system comprising:

a display (100 of fig. 19); a controller (50 of fig. 22); and

a display drafting apparatus comprising:

means for selecting a device of said controller for use (selecting on different devices 2 of fig. 20),

means for setting up display drafting information for said selected device (fig. 21);

a control program schema generating means (50 of fig. 22); and

means for allowing the use of the device selection information for said controller selected and created by said device selecting means, when a program schema is generated by said generating means (fig. 22 and fig. 23, page 2, line 17 – page 3, line 1),

Applicant's admitted prior art does not disclose the means for selecting are used to select a device before the means for setting up are used to set up the display drafting information. Matsui discloses an operator selects a source device before setting an in-point and an out-point for an edit material reproduced from the source device (col. 24, lines 59-63). It would have been

obvious to an artisan at the time of the invention to use the teaching from Matsui of selecting a device before setting up the display information in Applicant's admitted prior art's system since it would allow the system to not use a large amount of memory storage for storing the predefined setting information.

As per independent claim 9 and claim 11, which is dependent on claim 9, they are rejected under the same rationale as claim 1.

As per claim 10, which is dependent on claim 9, Applicant's admitted prior art teaches selecting device further comprises selecting a device symbol and selecting a device number (111 and 112 of fig. 21).

As per claim 12, which is dependent on claim 10, Applicant's admitted prior art teaches changing at least one of said device symbol and said device number after setting up part of said display drafting information (As fig. 21, setting up drafting information on device symbol 111 and device number 112 will change the device symbol and device number).

As per claims 13 and 14, which are both dependent on claim 9, it is inherent that the processes of setting up the display drafting information and selecting device of the controller are interrupted when saving data of the display drafting information and saving data of a device selection information, respectively. Whenever Applicant's admitted prior art's system saves data such as display drafting information or device selection information, the processes of setting up

the display drafting information and selecting device of the controller must be paused (or interrupted) for a period of time to allow the data to be saved completely before they can continue.

As per claim 15, which is dependent on claim 9, Applicant's admitted prior art teaches the selected device is used in display drafting and in generating a control program for said controller (50 of fig. 22).

5. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Matsui as applied to claim 6.

As per claims 7 and 8, which are both dependent on claim 6, Applicant's admitted prior art teaches the display drafting apparatus, the display, and the controller of the display drafting system is connected in series and the data is transferred between these modules (fig. 19). The Applicant's admitted prior art in view of Matsui, however, does not disclose the three modules are connected in series in order of the display drafting apparatus, the display, and the controller and are connected in series in order of the display drafting apparatus, the controller, and the display. The Examiner takes Official Notice that the order of connection is just a design choice and it is well known in the art. It would have been obvious to an artisan at the time of the invention to alternate the order of connection among the display drafting apparatus, the display, and the controller in modified Applicant's admitted prior art's system since it would allow a user to create an optimal design.

Allowable Subject Matter

6. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1 and 3-15 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's arguments with respect to claim 2 have been considered and claim 2 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
March 19, 2004

Kristine Kincaid
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SUPERVISORY PATENT EXAMINER
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